

EX PARTE OR LATE FILED

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**MCDERMOTT, WILL & EMERY**

*Including the practice formerly carried on by Lee, Toomey & Kent*

**Shirley S. Fujimoto**  
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(Independent) Offices:  
Barcelona London  
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October 2, 1995

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**VIA HAND-DELIVERY**

Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

DOCKET FILE COPY ORIGINAL

Re: WT Docket No. 94-148; In Re Reorganization and  
Revision of Parts 1, 2, 21, and 94 of the Rules to  
Establish a New Part 101 Governing Terrestrial  
Microwave Fixed Radio Services

**WRITTEN EX PARTE PRESENTATION**

Dear Sir/Madam:

This is to notify the Office of the Secretary that today the law firm of McDermott, Will and Emery, representing CellNet Data Systems, submitted a written ex parte presentation to Robert James, Private Wireless Division. In accordance with Section 1.1206 of the Commission's rules, we are enclosing two copies of the ex parte presentation for inclusion in the record of the above-captioned proceeding.

Very truly yours,

*Shirley S. Fujimoto* / BSJ

Shirley S. Fujimoto

cc: Robert James, Private Wireless Division,  
Wireless Telecommunications Bureau

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**VIA HAND-DELIVERY**

Mr. Robert James  
Private Wireless Division  
Wireless Telecommunications Bureau  
Federal Communications Commission  
2025 M Street, N.W., Room 5322  
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

Re: CellNet Data Systems; WT Docket No. 94-148; In re  
Reorganization and Revision of Parts 1, 2, 21, and 94  
of the Rules to Establish a New Part 101 Governing  
Terrestrial Microwave Fixed Radio Services

**WRITTEN EX PARTE PRESENTATION<sup>1/</sup>**

Dear Mr. James:

This is to briefly follow up on CellNet Data Systems'  
("CellNet's") September 19, 1995 ex parte presentation.

Primarily, CellNet requests that the Commission, in  
discussing the rule changes in new Part 101 to allow for  
subchannel licensing, indicate that the new rules will apply  
retroactively to all existing licensees of Multiple Address  
System subfrequency systems that originally secured their  
authorizations through the rule waiver process.

Additionally, in response to your request for additional  
information concerning CellNet's job development, this will  
confirm that, as a high-technology firm, CellNet is the  
developer and manufacturer of a unique wireless system that  
will be primarily used to assist utilities in meter-reading

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<sup>1/</sup> In accordance with Section 1.1206 of the Commission's  
rules, CellNet is contemporaneously submitting two copies of this  
document to the Office of the Secretary for inclusion in the  
above-captioned proceeding.

Mr. Robert James  
October 2, 1995  
Page 2

operations and in the automated distribution of gas, water and electric services. The company is based in San Carlos, California (near Silicon Valley) and was founded in 1984 with 5 employees. Within the last two years, CellNet has added over 200 employees and now employs over 270 people. CellNet anticipates that this high rate of growth will continue for the next several years.

\* \* \* \* \*

We trust that the above is adequately responsive to CellNet's recent ex parte presentation. In the event that additional information is required, please contact the undersigned.

Very truly yours,

*Shirley S. Fujimoto /BSO*

Shirley S. Fujimoto